

# Air Waves

*The bulletin produced by Nebraska Department of Environmental Quality's Air Quality Division*

August 2005

Welcome to the first *AirWaves* Bulletin! *AirWaves* will be produced and distributed semiannually by the Nebraska Department of Environmental Quality's (NDEQ) Air Quality Division. *AirWaves* is intended to help keep you up-to-date on current trends and issues regarding air quality in Nebraska.

In *AirWaves* we will cover a variety of issues including proposed regulations on the state or national level, recently enacted regulations, local air quality issues, new software and books, websites, upcoming courses and meetings, as well as other items of interest.

## *In This Edition*

**Construction Permit Program Gets a Facelift:** pg. 1

**Low Emitters Explained – Why Are They Such A Mystery?** pg. 3

**Air Quality Division to Host Annual Workshops:** pg. 3

**Permit-by-Rule – May the Implementation Begin:** pg. 4

**Mark Your Calendars!** pg. 4

**Nebraska's Air Quality Monitors Contribute to Air Quality Forecasting Network:** pg. 5

**Hot Off The Presses! New and Improved Air Quality Guidance Documents:** pg. 5

**Regulatory Roundup:** pg. 6

**Federal Air Quality Regulatory Actions January 2005 - July 2005:** pg. 7

## Construction Permit Program Gets A Face Lift

An increasing number of businesses and industries across the state have applied for air quality construction permits to build new or expand current business ventures, such as ethanol plants, power plants, and grain processing facilities. Processing the increased number of air quality construction permits in a timely manner has been a challenge for the Nebraska Department of Environmental Quality (NDEQ). As a result, NDEQ has committed significant resources toward addressing these needs.

Working with industry and other state agencies, the NDEQ identified individuals from business, industry, and government to participate in a KAIzen Event. KAIzen is a Japanese term meaning continuous improvement, taken from the words 'Kai' meaning continuous and 'zen' meaning improvement. During a KAIzen Event a team comes together to evaluate a set of actions, a process, or a product to identify ways for improving its effectiveness and efficiency. In this case, ways to improve the processing of NDEQ air quality construction permits were considered. Included on the team were persons from Nebraska Public Power District,

AGP, Inc., Cargill, US Environmental Protection Agency, HDR, Inc., Iowa Department of Natural Resources, Valmont, ADM, Chief Industries, Omaha Public Power District, Lincoln Lancaster County Health Department, and Nebraska Department of Economic Development.

The KAIzen Event activities involved evaluating the Air Quality Construction Permitting process from the perspective that there is no right way to process permits. This created an open forum for considering a broad range of ideas. KAIzen Event goals were set to ensure a more efficient and timely permitting process, addressing both pre-Public Notice and post-Public Notice activities. A major objective was to increase timeliness by processing Prevention of Significant Deterioration (PSD) and ethanol Greenfield permits within 180 days, PSD minor and state toxics best available control technology permits within 120 days, and all other state construction permits within 90 days. The process times begin when the application is deemed complete and ends with the start of the Public Notice period.

KAiZEN teams were organized around four major focus areas: 1) outreach and information; 2) internal staff issues; 3) modeling; and 4) permitting process. Highlights of the outcomes and recommendations from the KAiZEN Event are shown below. Many of the results emphasized the importance of pre-application activities and agency outreach efforts. The need for pre-application meetings was readily identified and acknowledged by KAiZEN participants.

### Website Update

During the event, the need to update the NDEQ website received substantial discussion. Much progress has been made in this effort. The NDEQ met with various web design organizations and eventually signed an agreement with Nebrask@ Online to serve as a consultant to the NDEQ on updating the agency's web site. Workgroups from each NDEQ Division are forming that will work with Nebrask@ Online to ensure that the new website meets each program's needs.

### Hotline

NDEQ has established an Air Quality Construction Permit **Hotline** - (877) 834-0474 to enhance customer service. The hotline is available to assist construction permit applicants in completing new applications.

### Additional Staff

The need for additional staff and a comprehensive training and procedures manual to train them was identified during the KAiZEN process. Since the KAiZEN event, the NDEQ Air Quality Construction Permit Unit has increased from five positions to nine. Currently, three of the nine positions are vacant. NDEQ expects to fill the remaining positions in the next few months. An intern was hired to help with permit issues and KAiZEN-related work activities. A training manual is being prepared as we commence training the new staff.

### Permit Standardization

The idea of standardizing permit language had been discussed prior to the February KAiZEN Event. As a result of the event, AGP representatives and NDEQ Air Quality staff developed a draft permit template that afforded the opportunity for incorporation of standard permit language.

The standardized permit's format will not only save time in reviewing permits but should also reduce potential errors in the permit, since only a small amount of language is actually specific to the facility's permit. Standardized permits will also facilitate compliance efforts because the forms will be more consistent and

uniform, and information and details should be easier to locate within the documents.

### Haul Road Policy

Modeling haul road emissions may contribute to the length of time a permit is processed. NDEQ is committed to working with the citizens and businesses of Nebraska to ensure that protective, yet common sense approaches are used toward air quality management. To fulfill these goals, NDEQ felt it necessary to change its haul road policy based on the following information: Nebraska is the only one of the surrounding states that requires emissions from haul roads to be included in air dispersion modeling; emissions estimation tools are difficult to accurately determine unless site-specific parameters are developed; site-specific parameters are expensive and time-consuming to obtain; and, the currently approved model can over-predict the impact of low-level emissions in the ambient air. Over predicting the impact on the environment can result in unnecessary burdens being placed upon the business to over control emissions.

The new haul road policy is based upon Best Management Practices (BMPs) and the duty to comply with Title 129, Chapter 32. This new policy is similar to those implemented by the states of Texas and Oklahoma. If BMPs are properly utilized, then NDEQ can safely assume the particulate emissions are minimal and the facility does not need to model the impacts on the environment.

NDEQ plans to periodically review the policy to determine whether science and technology have evolved sufficiently to warrant further changes. The policy will be incorporated into the NDEQ modeling guidance document.

### Transitional Work Plan

The goals set by the KAiZEN process presented a new challenge: attempting to reduce the number of permits presently being reviewed to a manageable level. An internal Transitional Work Plan was formulated where additional staff were assigned to review specific groups of permit applications, more applications were turned over to contractors for writing and review, and project completion schedules were established for remaining "in-house" permits to maximize staff time at clearing these projects out of the queue.

The NDEQ Air Quality Division will continue to make improvements to the air quality construction permit process over the next several months. NDEQ is confident that these improvements will provide a more streamlined and efficient construction permit program.

## Low Emitters Explained – Why Are They Such A Mystery?

“Let’s see, I own a source with very low emissions, what are my permitting requirements?” On the surface, it may appear that the Low Emitter provisions are the way to go. However, that program may not be the one for you. In fact, you may not need a permit at all. The Low Emitter provisions were established for sources with large Potential-to-Emit (PTE), but low actual emissions. In general, sources with PTE above the major source (Class I) thresholds that can demonstrate their actual emissions are below the Class II thresholds are not required to obtain an operating permit. Instead, they have to submit documentation (Low Emitter Worksheet) of their low emissions. If approved as a Low Emitter, they are then required to maintain records demonstrating that their emissions have remained low. You may also periodically receive an annual emissions inventory to complete and submit.

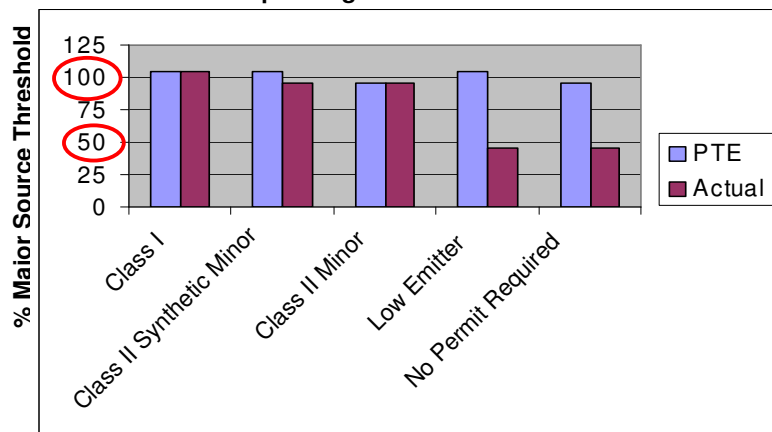
“But, what do I do if the PTE of my source is not above the major source thresholds?” If you have a low PTE and low actual emissions, there are no operating permit obligations that you must meet. You do not need to submit an application or documentation regarding your permit status because you are considered a No Permit Required source. What we recommend you do is document that your PTE is below the major source (Class I) thresholds and that your actual emissions are below the Class II thresholds. You should then keep this documentation on site in the event that an inspector from the Air Quality program visits your site. We also recommend that you keep on-going documentation of your low actual emissions. It is also advisable to re-evaluate your overall PTE each time there is a change at your facility that may affect your PTE. The chart on the upper right hand side of this page depicts the various operating permit classifications.

To obtain additional information on this topic, please see the following Fact Sheets on our website:

- “Nebraska’s Low Emitter Rule,”
- “Operating Permits,” and
- “Recordkeeping for No Permit Required.”

Be sure to review these Fact Sheets before making a final decision regarding your operating permit status. For some sources (e.g., job shops, custom finishers, etc.), the Low Emitter program or No Permit Required status may be too restrictive.

Operating Permit Classifications



## Air Quality Division to Host Annual Workshops

The NDEQ Air Quality Division is hosting four workshops throughout the state to provide industry and consultants information about Nebraska’s air quality regulations. The workshops will offer an update of state and federal air quality regulations and air permitting and compliance issues will be discussed.

Following is the Workshop agenda and locations. Please contact Melissa Woolf at (402) 471-6624 or email [melissa.woolf@ndeq.state.ne.us](mailto:melissa.woolf@ndeq.state.ne.us) to register for the workshop location you wish to attend.

All workshops will be held from 9:30 am until 2:30 pm with a one hour break for lunch.

### Dates & Locations

August 23<sup>rd</sup> Life Long Learning Center Norfolk, NE  
 August 25<sup>th</sup> Lancaster County Extension Lincoln, NE  
 August 30<sup>th</sup> Holiday Inn Kearney, NE  
 August 31<sup>st</sup> Hampton Inn Scottsbluff, NE

### Agenda

Introductions  
 Air Regulations Update  
     Title 129 Changes, Federal Regs., New Source Review Reform, & Air Toxics  
 Certifications of Compliance and Deviation Reports  
 NE Air Monitoring Network and Regional Haze  
 Air Quality Guidance Documents, Fact Sheets, & Assistance  
 Break – Lunch on your own  
 Town Hall Meeting – NDEQ answers *your* questions  
 Construction Permit Program Improvements  
     Kaizen Event, Haul Roads Policy, Permit-by-Rule Implementation, New Applications, Pre-Application Meetings  
 Air Quality Jeopardy (back by popular demand!)  
 Q & A/Wrap up

## Mark Your Calendars!



### AUGUST 2005

- 🕒 23<sup>rd</sup> Air Update Workshop 9:30 am - 2:30 pm  
Life Long Learning Center Norfolk, NE
- 🕒 25<sup>th</sup> Air Update Workshop 9:30 am - 2:30 pm  
Lancaster County Extension Lincoln, NE
- 🕒 30<sup>th</sup> Air Update Workshop 9:30 am - 2:30 pm  
Holiday Inn Kearney, NE
- 🕒 31<sup>st</sup> Air Update Workshop 9:30 am - 2:30 pm  
Hampton Inn Scottsbluff, NE

### SEPTEMBER 2005

- 5<sup>th</sup> NDEQ office closed
- 8<sup>th</sup> - 9<sup>th</sup> Environmental Quality Council Meeting  
Lincoln, NE
- 📅 30<sup>th</sup> Class I Semi-Annual Deviation Reports  
due

### OCTOBER 2005

- 10<sup>th</sup> NDEQ office closed



### November 2005

- 🕒 1<sup>st</sup>-3<sup>rd</sup> Method 9 Opacity Certification Training  
(Smoke School) Lincoln, NE. For  
registration information, go to [www.eta-is-  
opacity.com/schedule.htm](http://www.eta-is-opacity.com/schedule.htm).
- 11<sup>th</sup> NDEQ office closed
- 24<sup>th</sup> - 25<sup>th</sup> NDEQ office closed

### DECEMBER 2005

- 2<sup>nd</sup> Environmental Quality Council Meeting  
(tentative) Lincoln, NE
- 26<sup>th</sup> NDEQ office closed



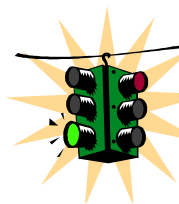
### JANUARY 2006

- 2<sup>nd</sup> NDEQ office closed
- 16<sup>th</sup> NDEQ office closed

### FEBRUARY 2006

- 20<sup>th</sup> NDEQ office closed

## Permit-by-Rule – May the Implementation Begin!



The Air Quality Division has received the green light and we are ready to begin implementation of our new permit-by-rule (PbR) program. In April, the PbR program received final approval by Governor Heineman. The PbR program is a streamlined permitting process for selected industrial sectors.

Many sources need both a construction permit and an operating permit. In order to issue permits to these sources more quickly and efficiently, and have standardized conditions among sources, the Department has established a PbR program. PbR satisfies both the construction permit and operating permit requirements for the source.

In summary, the rule sets out the compliance requirements that would normally be found in a permit. Sources that are approved for coverage under the PbR would simply comply with the rule, rather than a permit. Sources can apply for coverage by filling out a Notice of Intent (NOI) form. If the source meets all of the criteria listed in the NOI, then it can be covered. The rule sets up a maximum review period of 45 days. However, the Department expects to process NOIs in a much quicker timeframe.

NDEQ has established and will continue to establish permit-by-rules for the source categories in Nebraska that would most benefit from these rules. Currently, the sectors covered in the PbR program are Asphalt Plants and Small Animal Incinerators. NDEQ considers the following when deciding to establish a permit-by-rule for a source category: number of sources in the state, similarity among those sources, and whether or not the industry would like to be covered by this type of rule. At this time, we are developing PbRs for Surface Coating Operations and Reciprocating Engines. In the future, we plan to develop PbRs for Concrete Batch Plants and Rock Crushers.

For more information about the PbR program, see the “Permit-by-Rules” Fact Sheet on our website (available soon). If you are interested in being covered by the asphalt plant or small animal incinerator PbR, contact the Air Quality Division at (877) 834-0474 or (402) 471-2189.



## Nebraska's Air Quality Monitors Contribute to Air Quality Forecasting Network

Federal, state, local, and tribal agencies utilize a segment of their ambient air quality monitoring data to forecast the air quality in their area. The air quality monitoring data is used in forecasting so that the public can be informed in a timely manner when the outdoor air quality is expected to be unhealthy in their area.

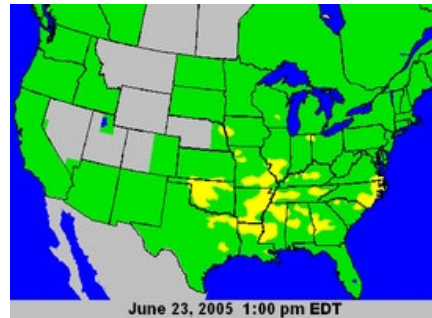


The Air Quality Index is used for reporting daily air quality forecasts. It tells how clean or polluted the outdoor air is and what associated health effects might be of concern. The AQI focuses on health effects that may be experienced within a few hours or days after breathing polluted air. EPA calculates the AQI for five major air pollutants regulated by the Clean Air Act: ground-level ozone, particle pollution (also known as particulate matter), carbon monoxide, sulfur dioxide, and nitrogen dioxide. For each of these pollutants, EPA has established national air quality standards to protect public health. For a description of the different levels of the AQI visit <http://cfpub.epa.gov/airnow/index.cfm?action=static.aqi>.

The Nebraska Department of Environmental Quality (NDEQ), the Douglas County Health Department, and the Lincoln-Lancaster County Health Department all contribute resources to the forecasting network. Nebraska submits ozone and particulate matter (PM) (both PM<sub>10</sub> and PM<sub>2.5</sub>) data to the air quality forecasting network. Currently, Omaha has three ozone monitors and one PM<sub>2.5</sub> monitor, Lincoln-Lancaster County has one ozone monitor, and NDEQ has one PM<sub>10</sub> monitor located in Weeping Water contributing data to the network. For more information about Nebraska's air quality monitoring data, review the "Nebraska Air

Quality Report" located under Air Quality Publications on NDEQ's website.

The air quality monitoring data is submitted hourly to the AIRNow website. The U.S. Environmental Protection Agency (EPA), National Oceanographic and



Atmospheric Association, National Park Service, tribal, state, and local agencies developed the AIRNow website to provide the public with easy access to national air quality

information. The website offers daily Air Quality Index (AQI) forecasts as well as real-time AQI conditions for over 300 cities across the U.S. and provides links to more detailed state and local air quality websites. The AIRNow website can be found at [www.epa.gov/airnow](http://www.epa.gov/airnow). Please be aware that not all portions of the web site have been updated yet with Nebraska's information.

The air quality data used in the AQI forecast maps are collected using either federal reference or equivalent monitoring techniques or techniques approved by the state, local or tribal monitoring agencies. Since the information needed to make maps must be as "real-time" as possible, the data are displayed as soon as practical after the end of each hour. Although some preliminary data quality assessments are performed, the data as such are not fully verified and validated through the quality assurance procedures monitoring organizations use to officially submit and certify data on the EPA Air Quality System. Data are used on the AIRNow website only for the purpose of reporting the AQI and not demonstrating attainment.





### Hot Off The Presses! New and Improved Air Quality Guidance Documents


The Air Quality Division is continuing its efforts to keep you informed and educated about the air quality regulations. Following is a listing of new and revised guidance documents. Some of the documents are currently available on NDEQ's web site at [www.deq.state.ne.us](http://www.deq.state.ne.us) under Air Quality Publications. All of the documents will be available on the web site in the near future or you can obtain them by calling (402) 471-6624.


**Revised - Certification of Compliance and Deviation Reports Guidance Document** – Sources with an air quality operating permit or covered by a Permit-by-Rule are required to submit annual certifications of compliance reports. Some sources also need to submit semi-annual deviation reports. This guidance document provides an explanation of the requirements and reporting examples.


**Revised – Atmospheric Modeling Guidance for Permits** – These guidelines have been established to aid the modeler in developing an acceptable analysis and NDEQ personnel in expediting the review process.


 **New – Pre-Application Meetings for Construction Permits Guidance Document** - The Air Quality Division recommends pre-application meetings for Prevention of Significant Deterioration (PSD) projects, ethanol plant construction or modification projects, and for any other project that may be complex in nature. The purpose of the meeting is to establish open communication between applicants and the NDEQ. This document provides applicants with a list of meeting expectations, timing guidelines, and pre-project planning meeting recommendations.

 **New - Facts about Federal Air Quality Regulations Fact Sheet** - Since federal air quality regulations are numerous and complex, it may be difficult for sources to understand which regulations apply. This fact sheet provides a brief explanation of the key federal air quality regulations.

 **New – Nebraska Stack Testing Guidance Document** – This document is intended to provide consultants and industry representatives with NDEQ’s recommendations for information that should be included in air quality stack testing protocols and stack test reports.

 **New - Permit-by-Rules Fact Sheet** – This document answers many of the questions related to the new Permit-by-Rule program. For more information related to the Permit-by-Rule program and implementation, see the article “**Permit-by-Rule – May the Implementation Begin!**” in this edition of *AirWaves*.

 **New – Emission Calculation Spreadsheets** – The Air Quality Division has created several emissions calculation spreadsheets to help sources determine their potential emissions. Here is a list of the new spreadsheets available in Excel format on the NDEQ website: boilers, turbines, internal combustion engines, haul roads, grain elevators, alfalfa dehydrators, feed mills, composite resin open molding, and aggregate and stone crushing operations.

 **New – 2006 Air Quality Compliance Calendar** - The compliance calendar was developed to assist businesses with their air quality recordkeeping and reporting requirements. The calendar provides reminders and compliance tips to businesses to help them maintain compliance with the air quality regulations.

## Regulatory Roundup



Permits-by-rule implementation, New Source Review/PSD revision, and adoption of Maximum Achievable Control Technology (MACT) standards are the highlights of air quality regulatory changes in 2005.

Permits-by-rule is now a permitting option available for small animal incinerators and hot mix asphalt plants. As of May 7, 2005, the general provisions for permit-by-rule and specific rules for these two industry categories became effective. This culminated a three-year effort to achieve agreement with industry and the EPA on the appropriate measures to include in the rules to assure that they offered a convenience to industry yet insured necessary control of emissions to comply with federal and state air quality laws and regulations. For more information on the permit-by-rules, read the article “**Permit-by-Rule – May the Implementation Begin**” in this edition of *AirWaves*.

Also effective May 7 were the adoption by reference of the revised New Source Performance Standard for Stationary Gas Turbines (Subpart GG), the delisting of the chemical compound ethylene glycol monobutyl ether (EGBE) from the list of regulated hazardous air pollutants, and an amendment bringing the Chapter 34 rule regarding exemption from monitoring opacity at fossil fuel-fired steam generators into compliance with the federal rule.

In June 2005, the Environmental Quality Council adopted, by reference, 17 new and revised federal MACT standards, bringing the total number of standards adopted to 90. The remaining standards should be adopted within another year. Along with the MACT standards, the EQC, at its June meeting added five chemical compounds, including t-butyl acetate, to the list of exempt volatile organic compounds (VOCs) in the definition, which have been determined to have negligible photochemical reactivity. It also added the statutorily required construction permit application fees into Chapter 17 and excluded fires used for religious ceremonies from the statewide ban on open fires.

A regulatory revision related to the Air Quality Division's initiative to streamline the construction permit process will be proposed for adoption by the EQC in September 2005. Portions of rules now located in Chapter 17 will be moved to Chapter 15, so that all rules related to revising existing permits will be contained in one chapter. More importantly, the rule allowing the NDEQ Director to reopen an operating permit for cause will be extended to cover construction permits.

Currently, the Department does not have authority to reopen a construction permit. Reopening must be requested by the source.

### **Pending New Source Review Regulations**

Since the publication of the first changes to federal New Source Review/Prevention of Significant Deterioration (PSD) rules in December 2002, NDEQ has been working with industry, environmental groups, the general public, and EPA to determine how Nebraska will comply with the revised rules and continue to protect air quality in Nebraska. In September 2005, NDEQ will propose its rules to the EQC, creating significant changes to the PSD program in Nebraska. NDEQ expects the new rules to become effective January 1, 2006.

The changes address the determination of whether a project at an existing major stationary source is a "major modification" and, therefore, subject to PSD review to determine if additional emission controls must be installed. In late June, in a decision in the case of New York State, et al, vs. EPA, some provisions of the new federal rules, including Clean Units and Pollution Control Projects, were vacated because the court ruled they were inconsistent with the Clean Air Act. As a result, there will be fewer changes to the Nebraska rule. The primary changes will now include:

- ✦ **Determination of baseline actual emissions:** Under current rules, the baseline is the average annual emissions during the two years immediately preceding the project. Under the new rules, the baseline period can be any consecutive 24 month period, within the ten years preceding a project, that represent normal operations. Electric steam generating units have a lookback period of five years.
- ✦ **Measurement of post-project emissions:** Under current rules, post-project emissions are measured as the potential to emit regulated air pollutants. Under the new rule, post-project emissions are measured as projected actual emissions, the actual expected emissions increase over the baseline.
- ✦ **Significant emissions increase:** Under the current rule, if post-project potential to emit results in a significant net increase in emissions of a regulated air pollutant, the project is a major modification subject to PSD review. Under the new rule, the post-project projected actual emissions must result in, first, a significant increase over the baseline, and, secondly, a significant net increase.

- ✦ **Demand growth exclusion:** Under the current rule, electric utilities may exclude from their post-project emissions any increase attributable to demand growth. Under the new rule, the exclusion is extended to all industry categories potentially subject to PSD review.
- ✦ **Plantwide Applicability Limits (PALs):** This is an entirely new provision in the rule. It allows facilities to be permitted for a plantwide annual emissions limit. The source can make any physical or operational changes to its facility, as long as emissions do not exceed the PAL.

For additional information regarding the proposed regulations, contact Beverly Kellison in the Air Quality Division at (402) 471-3588.

### **Federal Air Quality Regulatory Actions January 2005 - July 2005**

The following table lists the actions the U.S. Environmental Protection Agency (EPA) has taken on air quality regulations since January 2005. You can find more detailed information related to these actions on EPA's website at <http://www.epa.gov/fedrgstr/EPA-AIR/2005/index.html>.

<b>Date</b>	<b>Rule</b>	<b>Action &amp; Summary</b>
1/10/05	<b>40 CFR Part 63 Subpart L - National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Coke Ovens</b>	Partial withdrawal of 10/13/04 direct final rule.
1/31/05	<b>Animal Feeding Operations (AFOs)</b>	Consent agreement and final order. AFOs that sign order will help fund emissions monitoring study.
2/14/05	<b>40 CFR Part 60 Subpart AA New Source Performance Standards (NSPS) for Steel Plants -- Electric Arc Furnaces</b>	Final Amendments: Add alternative requirements for monitoring emissions from furnace exhausts and make minor editorial corrections.
3/25/05	<b>40 CFR Part 63 Subparts M, N, O, T, RRR, &amp; X -- NESHAPs for Area Sources</b>	Proposed Rulemaking To Exempt Area Sources Subject to NESHAP From Federal and State Operating Permit Programs
3/29/05	<b>Electric Utility Steam Generating Units: Air Toxics Rule</b>	Revision of Regulatory Finding of December 2000 & removed electric utility steam generating units from the NESHAP source list.
4/13/05	<b>40 CFR Part 63 Subpart YY-- NESHAPs for Generic Maximum Achievable Control Technology Standards</b>	Direct Final Rule Amendments - Clarify the compliance requirements, correct regulatory language, correct errors, & delineate overlapping requirements.



Date	Rule	Action & Summary
4/15/05	<b>40 CFR Part 63 Subpart L</b> – NESHAPs for Coke Ovens	Final Rule Amendments: Addresses residual risks under section 112(f)
4/22/05	<b>40 CFR Part 63 Subpart JJJJJ</b> – NESHAP for Brick and Structural Clay Products Manufacturing	Notice of reconsideration of final rule; request for public comment; notice of public hearing: On basis for control technology requirements
5/13/05	<b>40 CFR Part 63 Subpart GGG</b> – NESHAP for Pharmaceutical Production	Direct Final Rule Amendments: Includes provisions for planned routine maintenance of wastewater tanks, alternative monitoring provisions for scrubbers & condensers, & general standards for containers.
5/13/05	<b>40 CFR Part 63 Subpart HHHHH</b> – NESHAP for Miscellaneous Coating Mfg.	Direct Final Rule Amendments: Additional compliance options and clarifications.
5/17/05	<b>40 CFR Part 63 Subpart LLLLL</b> – NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing	Direct Final Rule Amendments: Correct minor errors & add a clarifying exemption inadvertently omitted in the final rule.
5/18/05	<b>40 CFR Part 60 Subpart Da</b> – NSPS for Utility Steam Generating Units <b>40 CFR Part 60 Subpart HHHH</b> – Emission Guidelines for Existing Utility Steam Generating Units <b>40 CFR Part 75</b> – Continuous Emission Monitoring	Final Rule & Amendments: Clean Air Mercury Rule (CAMR) & standards of performance for mercury (Hg) for new & existing coal-fired electric utility steam generating units. Establishes a nation-wide Hg Cap & Trade Program.
5/20/05	<b>40 CFR Part 63 Subpart EEEEE</b> – NESHAP for Iron and Steel Foundries	Direct Final Rule Amendments: Amends the work practice requirements for materials certification & scrap inspection programs.
5/26/05	<b>Petition to Remove 4,4'-Methylene Diphenyl Diisocyanate</b> From the List of Hazardous Air Pollutants	Notice of receipt of a complete petition to delist the chemical 4,4'-methylene diphenyl diisocyanate from the list of hazardous air pollutants contained in section 112(b)(1) of the Clean Air Act (CAA).
6/24/05	<b>40 CFR Part 63 Subpart UUUU</b> – NESHAP for Cellulose Product Manufacturing	Final Rule Correction: Date in definition of a process change.
6/24/05	<b>40 CFR Part 60</b> – Clean Air Mercury Rule (not published in Federal Register)	Letter to petitioners to begin reconsideration process. <a href="http://www.epa.gov/mercury">www.epa.gov/mercury</a> for more information.
6/27/05	<b>40 CFR Part 63 Subpart DDDDD</b> – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters	Proposed rule; notice of reconsideration of final rule; Provisions of the approach used to demonstrate eligibility for the health-based compliance alternatives & on the provisions establishing a

Date	Rule	Action & Summary
		health-based compliance alternative for total selected metals.
6/30/05	<b>40 CFR Part 63 NESHAPs</b>	Notice of revisions to the list of major source list Under Section 112 of the Clean Air Act
7/1/05	<b>40 CFR Part 63 Subpart FFFF</b> – NESHAP for Miscellaneous Organic Chemical Manufacturing	Proposed rule Amendments: Compliance for flares & the alternative standard. Expansion of the vapor-balancing alternative for tanks, modifications to correcting measured concentrations, & revisions of several referencing and drafting errors.
7/6/05	<b>40 CFR Part 51</b> Regional Haze Regulations and Guidelines for Best Available Retrofit Technology Determinations	Final Rule addresses changes to the 7/1/99 regional haze rule & proposes new guidelines for implementation of the Best Available Retrofit Technology (BART) requirements.
7/6/05	<b>40 CFR Part 63 Subpart HHHHH</b> – NESHAP for Miscellaneous Coating Manufacturing	Withdrawal of Direct Final Rule: EPA received adverse comment to the 5/13/05 direct final rule & is withdrawing portions of the direct final rule.
7/8/05	<b>40 CFR Part 63 Subpart HH</b> – NESHAP for Oil and Natural Gas Production Facilities	Supplemental Proposed Rule: Rule for area sources, alternative applicability criteria, addition of ASTM D6420-99 as an alternative test method.
7/11/05	<b>40 CFR Part 60 Subpart IIII</b> —NSPS for Stationary Compression Ignition Internal Combustion Engines	Proposed Rule: Standards of performance for new stationary compression ignition internal combustion engines.
7/11/05	<b>40 CFR Part 63 Subpart B</b> – NESHAP: Requirements for Control Technology Determinations for Major Sources	Final Rule Amendment: Table 1 to reflect revised deadlines related to boilers and hydrochloric acid production furnaces that burn hazardous waste.
7/14/05	<b>40 CFR Part 63 Subpart QQQ</b> – NESHAP for Primary Copper Smelting	Final Rule Amendments: Monitoring requirements for control systems other than baghouses & venturi wet scrubbers.
7/29/05	<b>40 CFR Part 63 Subpart DDDD</b> – NESHAP for Plywood & Composite Wood Products	Notice of Reconsideration of nine aspects of the rule (low risk demonstration). Proposed amendments to the rule and clarifications to the rule.
7/29/05	<b>40 CFR Part 63 Subpart A</b> – NESHAP General Provisions	Notice of Reconsideration and proposed amendments related to availability of startup, shutdown, & malfunction plans to the public.